

EXHIBIT “4”

**STATEMENT OF
JOHN D. STRUBLE**

SERIAL NO.: 10/713,186

DOCKET: TUC920020009US1

The following is an example of an acceptable property rights statement. Statements of this type are, of course, only suitable for situations in which NO Agency funds or other considerations were involved in the making or conception of the invention. While this example is in the form of a declaration, a sworn document is equally acceptable.

I (We) JOHN D. STRUBLE

citizens of U.S. of A.

residing at FPO LAWRENCE DR., SUITE 100 / SAN LUIS OBISPO, CA 93449

declare:

That I (we) made and conceived the invention described and claimed in patent application:

Serial Number 10/713,186

filed in the United States of America on 1-14-03

titled METHOD AND APPARATUS TO MOVE AN ACCESSOR WITHIN A DATA STORAGE AND RETRIEVAL SYSTEM

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

☒ I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by INTERNATIONAL BUSINESS MACHINES. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of INTERNATIONAL BUSINESS MACHINES. Other relevant facts are _____

That to the best of my (our) knowledge and belief:

☒ III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____ of _____

☒ IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

☐ II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: John D. Struble

Post Office Address: FPO LAWRENCE DR., SUITE 100 / SAN LUIS OBISPO, CA 93449

Date: MAY 26th, 2004

Inventor's Signature: _____

Post Office Address: _____

Date: _____